

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Paula M. Sosalla et al.

Docket No.:

19682

Serial No.:

10/748,411

Group No.:

3761

Confirmation No.: 7552

Examiner:

Unknown

Filed:

December 29, 2003

For:

ARTICLE FEATURING AN INTERIOR GRAPHIC

COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that the attached correspondence comprising:

Information Disclosure Statement Pursuant to 37 C.F.R. § 1.97(b) - Before First Office Action or Within Three Months of Filing Date 1 Page(s) of PTO Form 1449

2 Photographs

is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

> COMMISSIONER FOR PATENTS P.O. BOX 1450 **ALEXANDRIA, VA 22313-1450**

on: January 13, 2005

Nanette A. Dotts

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Supplemental Information Disclosure Statement Pursuant to 37 C.F.R. § 1.97(b) Before First Office Action or Within Three Months of Filing Date

COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. 1.56 and in accordance with 37 C.F.R. 1.97 et seq., Applicants, through and by their attorneys, hereby wish to direct the Examiner's attention to the documents listed on the modified PTO 1449 Form.

Exhibit A includes 2 photographs showing the interior view and a close-up of the interior view of a disposable absorbent undergarment sold by Kimberly-Clark Corporation at least one year prior to the filing date of the present application under the tradename DEPEND® Undergarments. The undergarment includes a non-active graphic provided on a layer that is located beneath the liner of the undergarment. The actual garment represented in the photographs is in the possession of the undersigned attorney and is available for the Examiner's review upon request.

By inclusion of any given document in this Information Disclosure Statement, Applicants in no way admit that such document is effective as prior art against the above-identified application under either 35 U.S.C. 102 or 35 U.S.C. 103.

Additionally, submission of any document is not to be taken as an admission of the materiality of the document to the prosecution of the present application.

The Examiner is requested to review each cited document and personally determine its prior art status.

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Applicants recommend that the Examiner conduct an independent search for any and all available material prior art and independently review the results of such search and the documents cited within this Statement.

Applicants request the Examiner, in accordance with 37 C.F.R. 1.97, to indicate and make of record receipt and review of all of these documents by initialing the appropriate box in the accompanying PTO-1449. Applicants request that the undersigned receive a copy of the initialed PTO-1449.

If the Examiner refuses to consider any or all of the herein submitted materials because it is the Examiner's opinion that this Information Disclosure Statement is not in compliance with 37 C.F.R. 1.97, Applicants respectfully request that the Examiner notify the undersigned, in writing, as to the basis of such opinion.

Please charge any prosecutional fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: 920-721-3862.

Respectfully submitted,

PAULA M. SOSALLA ET AL.

John لا Brodersen

Registration No.: 51,236

List of Patents and Publications for Information Disclosure Statement

Docket No.: 19682

3761

Group:

Applicant(s): Paula M. Sosalla et al.

10/748,411

Serial No.:

| PADEMARK | | | Ü. | S. Patent Document | s · | | | |
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| | | | | Other Documents | | (*) | | |
| Initials | | Author, Title, Date, Pages, etc. | | | | | | |
| | A1 | Exhibit A - 2 Photographs showing the interior view and a close-up of the interior view of a disposable absorbent undergarment sold by Kimberly-Clark Corporation at least one year prior to the filing date of the present application under the tradename DEPEND® Undergarments. The undergarment includes a non-active graphic provided on a layer that is located beneath the liner of the undergarment. | | | | | | |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with your next communication.

Examiner:

Date Considered:

Form PTO-1449 (Modified)